

OFFICE OF THE CLERK

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**CLERK**

# UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

## TELEPHONE

215-597-2995

Harrisburg \_\_\_\_\_ Clerk of District Court \_\_\_\_\_ Date 10/30/03  
(District) \_\_\_\_\_

Smith v. Weaver  
(Caption) C. of A. No. 03-3207

Kim Smith  
(Appellants)

01-cv-0817  
(D.C. No.)

*Enclosures:*

10/30/03 Certified copy of C. of A. Order by the Court/Clerk  
(Date)

Released (Record) (Supplemental Record - First - Second - Third)

XXXXXX Copy of this form to acknowledge receipt and return to C. of A.

Record not released at this time until appeal(s) closed at No. (s)

Please forward Certified List in Lieu of Record to this office.

\_\_\_\_\_ The certified copy of order issued as the mandate on \_\_\_\_\_  
is recalled.

#### Receipt Acknowledge:

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(Name)

(Date)

Dana Moore

Dana M. Moore (267) - 299 - 4927  
Deputy Clerk Telephone Number

(Name)

Rev. 3/13/00

Appeals (Certified List in Lieu of Record)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 03-3207

Smith

vs.

Weaver, et al.

Kim Smith, Appellant

(Middle District of Pennsylvania Civil No. 01-cv-00817)

O R D E R

Pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure and Third Circuit LAR 3.3 and Misc. 107.1(a),

It is O R D E R E D that the above-entitled case is hereby dismissed for failure to timely prosecute,

It is FURTHER O R D E R E D that a certified copy of this order be issued forthwith as the mandate.

For the Court,

A TRUE COPY:

*Kathleen Brouwer*

Kathleen Brouwer,  
Chief Deputy Clerk

*Kathleen Brouwer*

Chief Deputy Clerk

Date: October 30, 2003

cc:

Mr. Kim Smith  
John J. Talaber, Esq.  
James D. Young, Esq.